

46 Am. Jur. 2d Judges § 252

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Judges

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XII. Special, Substitute, or Pro Tem Judges

D. Objection to Authority

§ 252. Objection to substitute judge on appeal

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West's Key Number Digest

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Generally, objections to one acting as a special, substitute, or pro tem judge may not be made for the first time on appeal.¹ However, a constitutional challenge to the authority of a substitute trial judge may be raised for the first time on appeal.²

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Footnotes

- 1 Skipper v. State, 525 N.E.2d 334 (Ind. 1988); Martin v. Stumbo, 282 Ky. 793, 140 S.W.2d 405 (1940); Sparkman v. State, 55 S.W.3d 625 (Tex. App. Tyler 2000).
- 2 Glidden Co. v. Zdanok, 370 U.S. 530, 82 S. Ct. 1459, 8 L. Ed. 2d 671 (1962); Mitchell v. Kitsap County, 59 Wash. App. 177, 797 P.2d 516 (Div. 2 1990).

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